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June 9, 2022

Magistrate Judge Lois Bloom
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: Merchan et al v. MTP Parking Lot et al
1:19-cv-03729-DLI-SMG
Settlement Agreement and Motion to Approve**

Dear Judge Bloom,

As the Court may be aware, the Parties attended an in-person settlement conference on June 2, 2022, and resolved the above referenced matter. The parties allocuted to the material terms on the record and the deadline to file a motion to approve the settlement agreement pursuant to Cheeks is today, June 9, 2022. It is the end of business and plaintiffs' counsel is writing to inform the Court that undersigned counsel has not heard back from defense counsel, Jason Mizrahi, Esq or Joshua Levin-Epstein, despite emailing revisions of the draft of the motion to approve, and settlement agreement at 11.05 am this morning. Mr. Peter S. Gordon, Esq attempted to call Mr. Mizrahi, Esq by phone throughout the day but to no avail. The only substantial term at issue in the settlement agreement is that defendant wanted 30 days from the Court approval to pay the initial lump sum of \$150,000.00 We revised the draft to state 1 week from Court approval would be fair as the parties had agreed, and allocuted to on the record, that defendant would pay the lump immediately after the Court approved the Settlement Agreement.

Plaintiffs and their counsel cannot fathom why the settlement agreement and motion to approve the same was not filed today, least of all because defense counsel has failed to respond to our repeated attempts to contact them today and ascertain the cause of the unnecessary delay.

I thank the Court for its continued consideration in this matter.

Respectfully submitted,

/s/Supriya Kichloo, Esq
Supriya Kichloo, Esq